

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

DOCKET NO. 3:01-cr-104-5-FDW

UNITED STATES OF AMERICA,

v

JOSE OSEGUERA RODRIQUEZ

Defendant.

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ORDER

THIS MATTER is before the Court on Defendant's *pro se* motion (Doc # 230) for "further reduction" of his sentence pursuant to 18 U.S.C. § 3582(c)(2). Defendant's motion is **DENIED**.

As stated in Document #228 and 229, the defendant is not eligible for a sentence reduction. The controlled substance related to this offense was cocaine powder not crack cocaine. This defendant is not eligible for a reduction pursuant to Amendment 706.

IT IS SO ORDERED.

Signed: July 8, 2010



Frank D. Whitney
United States District Judge

